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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.:	23641	}	
Application No.:	10/630875	}	
Confirmation No.:	7941	}	I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents
Filing Date:	July 30, 2003	}	on: <u>May 20, 2008</u>
Group Art Unit:	1794	}	<u>/Gregory S. Cooper/</u>
Examiner Name:	Jennifer A. Chriss	}	Gregory S. Cooper
Attorney Docket No.:	29595/82608	}	
First Named Inventor:	Garry E. Balthes	}	
Title:	LAMINATED COMPOSITION FOR A HEADLINER AND OTHER APPLICATIONS	}	

SUPPLEMENTAL REPLY BRIEF

Pursuant 37 C.F.R. § 41.43(b), this Supplemental Reply Brief is in response to the Supplemental Examiner's Answer filed March 20, 2008.

The Supplemental Examiner's Answer is identical to its previous answer, except for identifying the issue of claims 23-25 being rejected under 35 U.S.C. § 103(a) as unpatentable over Jarrard et al. (U.S. Patent No. 6,871,898).

Claims 23-24 further modify the film layer being polypropylene film and a 4 mil polypropylene film layer, respectively, whereas claim 25 claims the binding resin being a nylon

film layer. Neither polypropylene nor nylon are disclosed in Jarrard et al., except as components of a textile fabric (see col. 4, lns. 5-7). They are not disclosed as films. Examiner's supplemental answer summarily concludes that based on Jarrard's use of these constituents as fibers, one skilled in the art would use a polypropylene or nylon film as a mere design choice based on cost and stain resistance. The Examiner also asserts that nylon can be foamed.

It is respectfully believed that this analysis does not follow the obviousness analysis as outlined in KSR International Co. v. Teleflex, Inc., as discussed in Applicants' Reply Brief. No where in Jarrard et al. is nylon or polypropylene being used as a film. In fact, there is an issue whether Jarrard et al. even includes a film, pursuant Applicants' and Examiner's agreed upon definition discussed in Applicants' Reply Brief. Nonetheless, the Examiner does not establish the scope and content of the prior art, nor examines the differences between the claimed invention and the prior art, except to say that Jarrard teaches plastic can be foamed and concluding nylon can be foamed. The Examiner does not support this assertion, but nevertheless, even if true, Jarrard et al. does not describe the film layers and, thus, is not pertinent to claims 23-25. Accordingly, it is respectfully asserted these rejections cannot be sustained.

To the extent additional fees are required, please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 02-1010 (29595/82608) and please credit any excess fees to such deposit account.

Respectfully submitted,

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